IN RE: PETITION FOR ADMIN. VARIANCE E/S Windys Run Road, 140' N centerline of Caton Glen Road 1st Election District 1st Councilmanic District (1927 Windys Run Road)

> Sophia I. Christman Petitioner

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-271-ASPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Sophia I. Christman, legal owner, of that property known as 1927 Windys Run Road in the Catonsville area of Baltimore County. The Petitioner herein seeks relief from Sections 301.1.A and 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (deck) with a rear yard setback of 18 ft. in lieu of the required 22.5 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

1/30/02 Dancoon Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of January, 2002, that a variance from Sections 301.1.A and 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (deck) with a rear yard setback of 18 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M'. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

January 30, 2002

Ms. Sophia I. Christman 1927 Windys Run Road Catonsville, Maryland 21228

Re: Petition for Administrative Variance

Case No. 02-271-A

Property: 1927 Windys Run Road

Dear Ms. Christman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy Kotrow

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1927 Windus Run Rd 21228
which is presently zoned residential DR.5.5

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.14., 1001.20.1.b. (B.C.Z.R.)

TO PERMIT AN OPEN PROJECTION (DECK) WITH A REAR SETRACK OF 18 FEET IN LIEU OF THE REQUIRED 22 1/2 FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we is the subject of the	are the legal owner his Petition.	(s) of the property which
Contract Purchaser/Less	see:		Legal Owner(<u>(s):</u>	
Na. : veri S. Zrint Signature		•	Name Type or Prin	I. Chris	stman Syrkala
Address	<u> </u>	Telephone No	Name - Type or Prin	nt ,	
City Attorney For Petitioner:	State	Zip Code	Signature 1927 Windys	Run Rd	Home: 410-869-8492 Work:301-688-0412
Name - Type or Print			Catons ville		Telephone No. 2/218 tate Zip Code
Signature	·		<u>Representativ</u>	re to be Contac	ted:
Company			Name		*
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	Oity	S	tate Zip Code
A Public Hearing having been form this day of regulations of Baltimore County and t	mally demand that the proper	ded and/or found to be at the subject matter of the day be reposted.	required, it is ordered bhis petition be set for a pu	by the Zoning Commit blic hearing, advertise	ssioner of Baltimore County, ed, as required by the zoning
			Zoning Cor	mmissioner of Baltimo	ore County
CASE NO. 02-271	-A	Rev	iewed By D. THON	nPSON Date]	ماعداه
REV 10/25/01		Esti	mated Posting Date	0106105	<u> </u>

ffidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	1927 Windys Address Catonsville	Kun Kd MD	21228
•	Clly	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The current setback of 22 ½ ' from the back of my property line would limit me to a 9 ½' deck. That is not a suitable depth for a table, chairs and a few people. A deck of 9 1/2' would not be very practical or useful. I am requesting to be allowed to build a 14' deck which would extend 4 1/2' into the setback zone. This is reasonable size deck that is within + 2 feet of neighboring decks. My yard backs to county property on which no structures can be built, so a slightly larger deck would not bother anyone behind me.

That the Affiant(s) acknowledge(s) that if a formal de advertising fee and may be required to provide additions	emand is filed, Affiant(s) will be required to pay a reposting and al information.
Signatura	Signature
Sophia I. Christman	
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to I HEREBY CERTIFY, this 19 day of December of Maryland, in and for the County aforesaid, personally	o wit:
the Affiant(s) herein, personally known or satisfactorily known	dentified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
	Notary Public L. Classic
	My Commission Expires 1 Feb 2002
Salar Marie Salar Sa	AND MARLIOUIS CELANI
	Notary Public Anno Arundel County
The state of the s	Maryland My Commission Expires Feb 1, 2002
	A STATE OF THE PROPERTY OF THE

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	
---	--

1927 Windys Run Rd
Address
Catonsville, MD
State
Zip Code

My Commission Expires Feb 1, 2002

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The current setback of 22 $\frac{1}{2}$ ' from the back of my property line would limit me to a 9 $\frac{1}{2}$ ' deck. That is not a suitable depth for a table, chairs and a few people. A deck of 9 $\frac{1}{2}$ ' would not be very practical or useful. I am requesting to be allowed to build a 14' deck which would extend 4 $\frac{1}{2}$ ' into the setback zone. This is reasonable size deck that is within \pm 2 feet of neighboring decks. My yard backs to county property on which no structures can be built, so a slightly larger deck would not bother anyone behind me.

That the Affiant(s) acknowledge(s) that if a formal de advertising fee and may be required to provide addition. Signature Sophia I. Christman Name-Type or Print	emand is filed, Affiant(s) will be required to pay a reposting and al information. Signature Name - Type or Print
ANNE ARU	NDel.
STATE OF MARYLAND, COUNTY OF BALTIMORE, t	O WIL.
I HEREBY CERTIFY, this 19 day of <u>December</u> of Maryland, in and for the County aforesaid, personally	ber , 2001, before me, a Notary Public of the State appeared
Sactia I Christman	
the Affiant(s) herein, personally known or satisfactorily i	dentified to me as such Affiant(s).
	v
AS WITNESS my hand and Notarial Seal	
	mielael L. Celassi
The second secon	Notary Public
The same of the sa	My Commission Expires 7 Feb 2002
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CAP WILLIAM SON TO SEE SEE	Annia Arundal County



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1927 Windys Run Rd 21228 which is presently zoned residential D.R.5.5

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1A., 1801.2C.1.b. (8.C.Z.R.)

TO PERMIT AN OPEN PROJECTION (DECK) WITH A REAR SETBACK OF 18 FEET IN LIEU OF THE REQUIRED 25/2 FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

•			perjury, that I/we a is the subject of th	are the legal owner(s) of the nis Petition.	property which
Contract Purchaser/L	.essee:		Legal Owner(s	<u>s):</u>	
Name (von al crint		0	Name Type or Frin	I. Christman	I Va INA
Signature	. .	***************************************	Signature Phy-	de la	Supra Alla
Address	<u> </u>	Telephone No	Name - Type or Prin	it	
City	State	Zip Code	Signature	Lanc	410-869-8492
Attorney For Petition	<u>er:</u>		1927 Windys Address	Run Rd Work	301-699-0412 Telephone No.
Name - Type or Print			Catonsville City	MD State	21218 Zip Code
Signature			<u>Representativ</u>	e to be Contacted:	
Company	<u> </u>	······································	Name	,	
Address		Telephone No	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having beer this day of	formally deman	ded and/or found to be	required, it is ordered by	y the Zoning Commissioner of blic hearing, advertised, as requ	Baltimore County,
regulations of Baltimore County	and that the prope	erty be reposted.	no polition od set for a pur	one nearing, advertised, as requ	area by the zoning
			Zoning Con	mmissioner of Baltimore County	•
CASE NO. <u>02-2</u>	71-A	Rev	iewed By <u>D. THom</u> s	SON Date 10 20	۸۱
REV 10/25/01			mated Posting Date	, , , , , , , , , , , , , , , , , , , ,	-

ZONING DESCRIPTION FOR 1927 Windys Run Rd; Catonsville, MD

Beginning at a point on the east side of Windys Run Rd which is 48 feet wide at the distance 140 feet north of the centerline of the nearest improved intersecting street Caton Glen Rd which is 36 feet wide. Being Lot #19 in the subdivision of Caton Glen as recorded in Baltimore County Plat Book #SM67, Folio #124, containing .118 acres. Also known as 1927 Windys Run Rd and located in the 1st Election District, 1st Council Marie District.

CASHER'S VALIDATION		PINK - AGENCY YELLOW - CUSTOMER
	X	PAKEN IN BOMPSON
· · ·	ITEM# 371	FOR FILINGOF ADM PETITION
Raitherne County, Mayland	1927 WINDOWS RUN RD	RECEIVED FOUNDAREDO 1927
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G VENITIONIUM	90	\$ 50.00
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FAMERI ATIM TIME		
	No. 4122	BALTIMORE COUNTY, MARYLAND DEFICE OF RIDGET & FINANCE

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RETAR ROBIN

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CERT CATE OF POSTING

ADMIN: 02-271-A

RE Case No.

Petitioner/Developer: CHPISTMAN ETAL

Date of Hearing Closing: 1/21/02

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephons & GEORGE ZAHNER

Ladies and Gentlemen;

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 1921 - WINDYS RUN P.

The sign(s) were posted on (Month, Day, Year)

Sincerely, Weel of 1/5/07
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

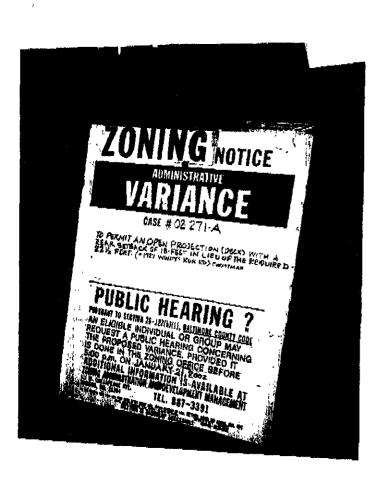
523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366 ; CELL:410-905-8571 (Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

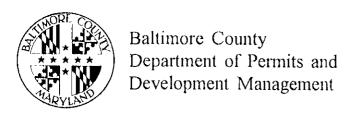
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02-271-A
Petitioner: SOPHIA I. CHRISTMAN
Address or Location: 1927 WINDS RUN RD, 21228
PLEASE FORWARD ADVERTISING BILL TO: Name: SOPHIA I. CHRISTMAN
Address: 1927 WINDYS RUN RD.
CATONSVILLE, MD 21228
Telephone Number: 410 - 869 - 8492

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 27 -A Address 1927 WINDYS RUN RD 21228				
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391				
Filing Date: 12 26 01 Posting Date: 01 06 02 Closing Date: 01 21 03				
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.				
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.				
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.				
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.				
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.				
(Detach Along Dotted Line)				
Petitioner: This Part of the Form is for the Sign Poster Only				
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT				
Case Number 02- 27 -A Address 1927 WINDYS RUN RD 21228				
Petitioner's Name SOPHIA I. CHRISTMAN Telephone 410 869-8492				
Posting Date: 01 06 02 Closing Date: 01 21 02				
Wording for Sign: To Permit AN OPEN PROJECTION (DECK) WITH A REAR				
SETEBACK OF 18 FEET IN LIEU OF THE REQUIRED 22 1/2 FEET				



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

January 28, 2002

Sophia I Christman 1927 Windys Run Road Catonsville MD 21228

Dear Ms. Christman:

RE: Case Number: 02-271-A, 1927 Windy Run Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 19, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection	
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Ruchards, Jr.

W. Carl Richards, Jr. GDZ Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 28, 2002

TO:

Arnold Jablon, Director

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 4, 2002

Item Nos. 263, 264, 265, 267, 268, 269, 270, (27), 272, 273, 274, 275, 276, 278, 279, 280, 281, 282, 283, 284, 285, 286,

287, 288, 290 and 292

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File

ZAC-2-4-2002-NO COMMENT-02282002.doc



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

January 31, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 28, 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

263, 267, 268, 270, 271, 273, 274, 275, 276, 278, 279, 280, 282, 283, 284, 287, 289, 290,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

Todd Taylor

DATE:

March 1, 2002

Zoning Advisory Committee Meeting of January 28, 2002

SUBJECT:

NO COMMENTS for the FOLLOWING ZONING ITEMS:

263 - 265, 268 (271), 272, 275 - 277, 279 - 281, 283, 284, 286, 287, 290 - 292

Agricultural Preservation is still reviewing Zoning Items: 270, 273, 278, and 288.

AV 101

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 29, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JAN'3 0 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-271 & 02-276

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.25.02

Baltimore County

Item No. 271

RE:

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Dear, Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

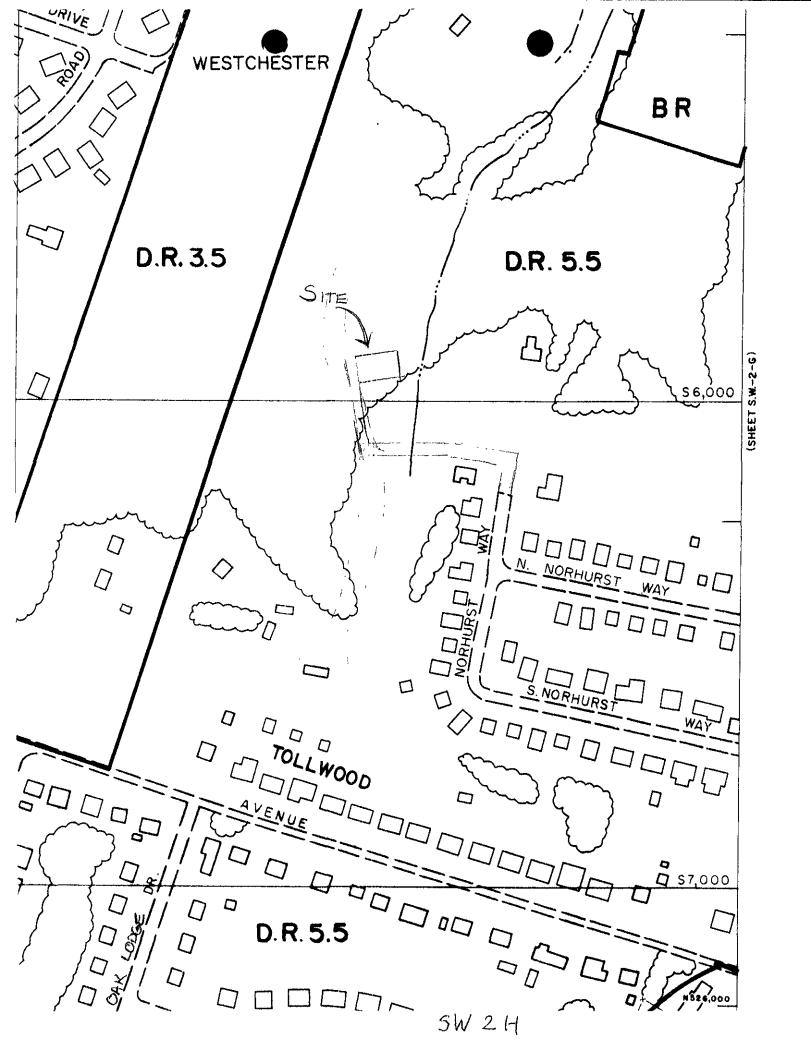
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

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J. J. Hoedh

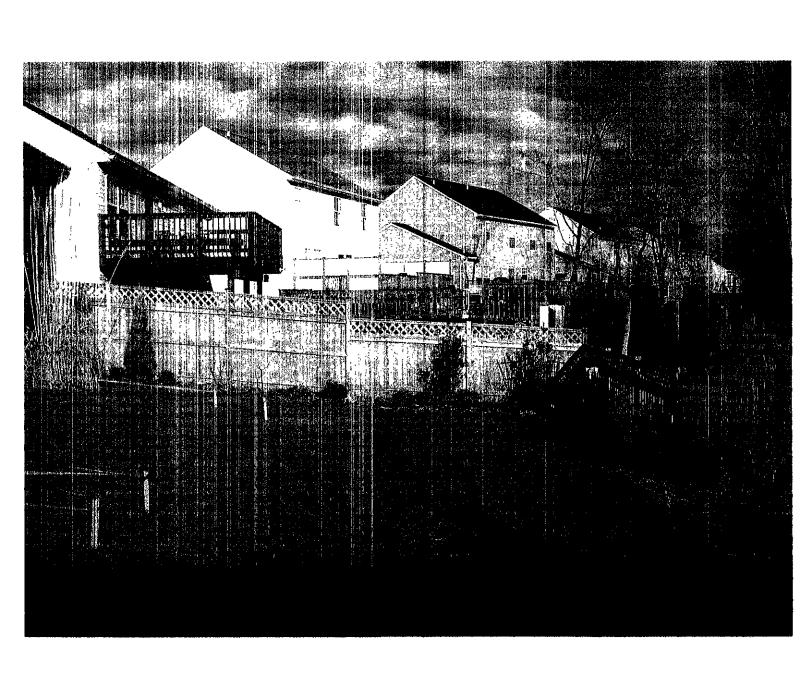




1927 WINDYS RUN RD.

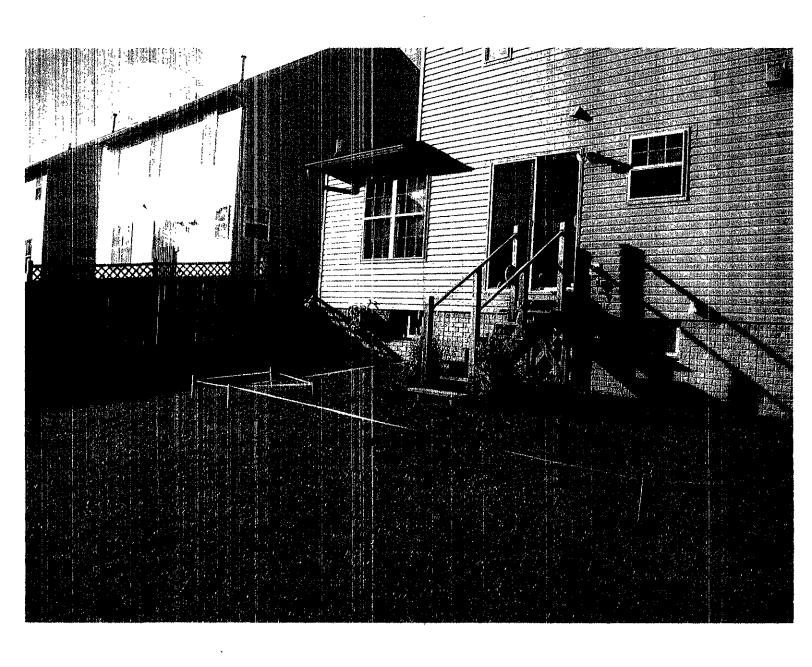


1927 WINDYS RUN RD. (REAR)



1927 WINDYS RUN RD. (REAR)

02-271-A



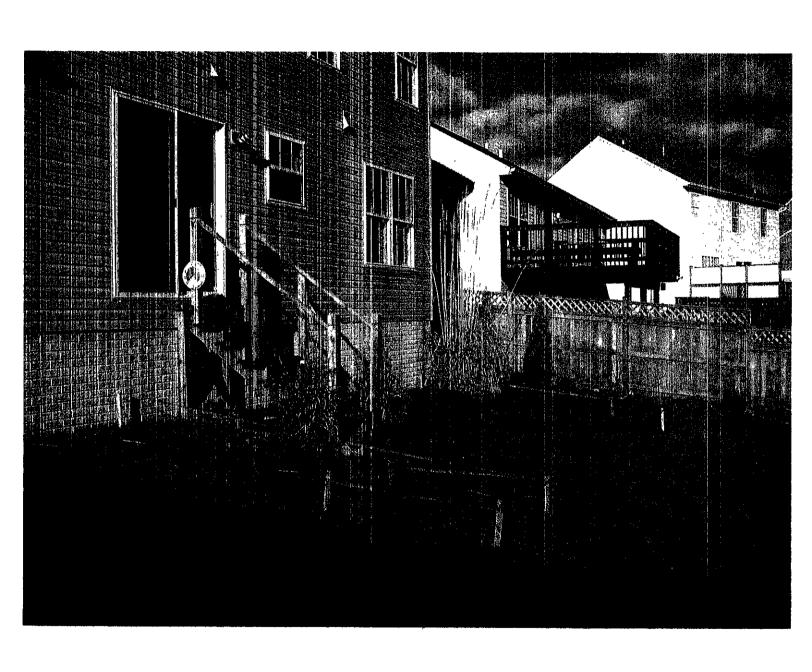
1927 WINDYS RUN RD (REAR) 02-271-A



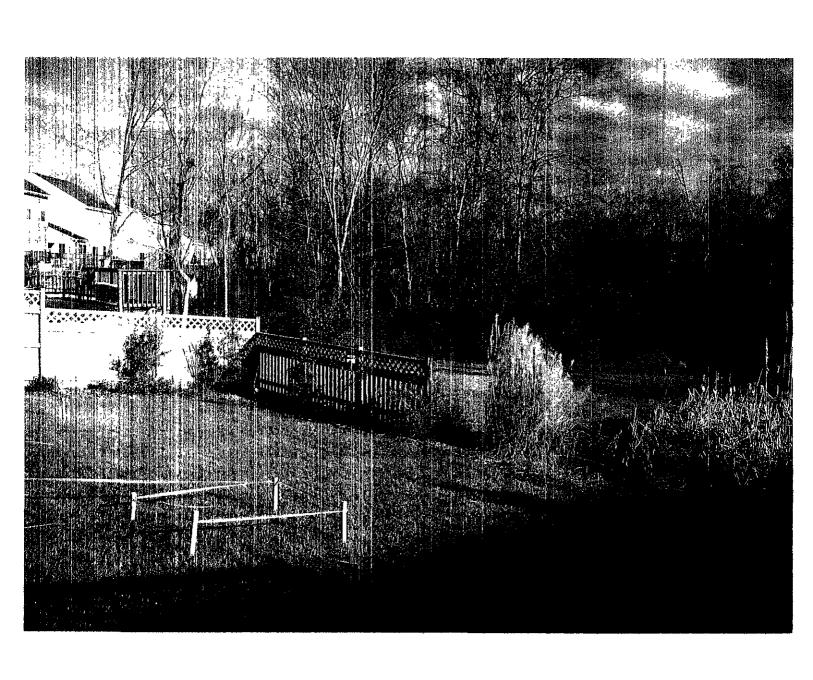
1927 WINDYS RUN RO (REAR)



1927 WINDYS RUN RO. (REAR)



1907 WINDYS RUN RD. (REAR)



1957 WINDYS RUN RO.

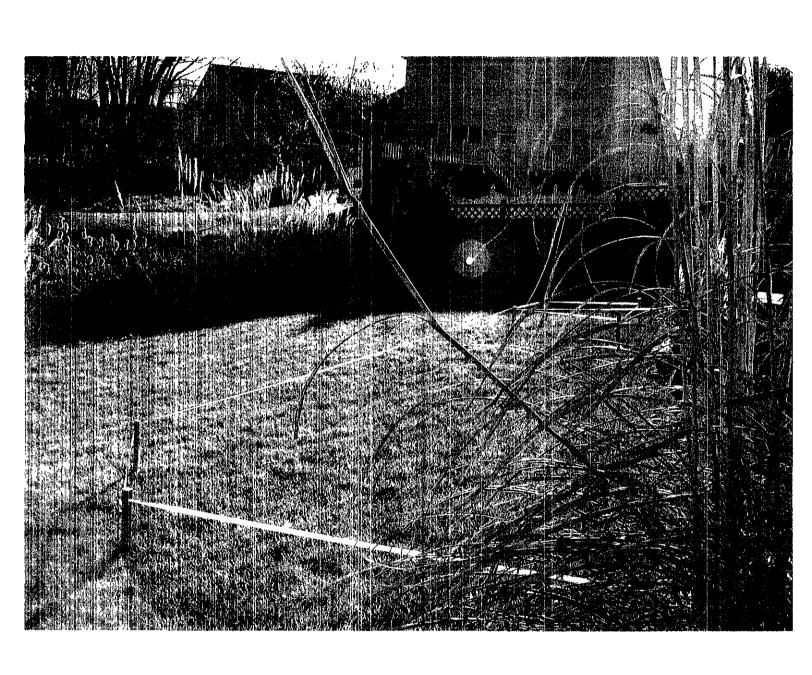


1927 WINDYS RUN RD. (REAR)

02-271-A



1927 WINDYS RUN RD. (REAR)



1927 WINDYS RUN RD. (REAR)

PLAT PREPARED BY: DAVID LOMICHADO



SCALE :

H

D.THompson

02-271-A

90.01 SUBDIVISION NAME: PROPERTY HODRESS : PLAT BOOK #67, by 18. Rick and Ronce TO ACCOMPANN PETITION FOR ZONING VARIANCE 60.00 Maller # 1925 FOREST BUFFER ERSEMENT FOLIO # 124, LOT # 19 1927 WINDYS RUN RD. CATON GLEN 9001 11/02/18 E MINDYS FUN A1.8 POAD Mac Drive 25's 90.01 (50' RIGHT-OF-WAY) 571-7418.W 10× 20 157.8 Arnold and Shide Hornstein # 1929 90.01

